

### Remarks

This is in response to the Office Action dated May 22, 2006.

Claims 1-7 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

To overcome this rejection, independent claims 1, 4, and 5 each have been amended by adding the recitation "for use with a data recording and/or reproducing apparatus." Now having recited a useful, concrete and tangible result, it is respectfully submitted that the 35 U.S.C. 101 rejection has been overcome.

Claims 1, 2, and 4 were rejected under 35 U.S.C. 102(b) as being anticipated by Kubota et al (US5754172).

Claim 1 has been amended to include the subject matter of original claim 3. Claim 4 has a limitation similar to the subject matter of original claim 3. Without anything more, Kubota no longer anticipates claims 1 and 4.

Original claims 3, 5, 6, and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota in view of publication Koreeda et al (2002/0019979).

The examiner is respectfully requested to take notice that Koreeda is not a valid reference against the instant invention, since it has a U.S. filing date of January 19, 2001 whereas the instant application claims Japanese priority date of October 19, 2000. Accordingly, Koreeda is not a valid reference against original claims 3, 5, 6, and 7.

Accordingly, it is respectfully submitted that all of the pending claims are patentable over the prior art.

The feature of the invention of amended claim 1 is as follows. The second ID code signal represents that a sub genre of the contents which is subordinate to a main genre thereof is defined by a user. As recognized by the Examiner in the Office Action, page 4, Kubota fails to disclose the above feature of the invention of amended claim 1.

The features of the inventions of amended claims 4 and 5 are similar to the above feature of the invention of amended claim 1.

In view of the above, it is respectfully submitted that the instant the pending claims are patentable over the prior art. Accordingly, the examiner is respectfully requested to pass the case to issue at an early date.

Respectfully submitted,



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